

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

JUAN CARLOS CAMILO-POLANCO,

Defendant.

19-CR-049-2 (JMF)

MEMORANDUM OPINION  
AND ORDER

JESSE M. FURMAN, United States District Judge:

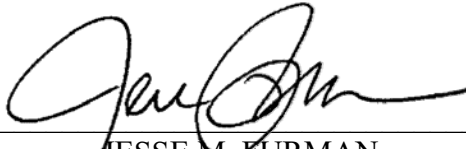
On February 15, 2023, the Court received the attached motion from Defendant, dated January 29, 2023, requesting appointment of counsel to file a motion for compassionate release. It is well established that a defendant “has no right to the assistance of counsel in filing a motion for compassionate release.” *United States v. Fleming*, 5 F.4th 189, 193 (2d Cir. 2021). Instead, the appointment of counsel “rests in the Court’s sole discretion,” *id.* at 194 (citing 18 U.S.C. § 3006A(a)(2)), “and such discretion turns, in large part, on the merits of a movant’s claim,” *United States v. Diaz*, No. 16-CR-719 (RJS), 2022 WL 3020145, at \*4 (S.D.N.Y. July 28, 2022) (Sullivan, J.) (citing *Hodge v. Police Officers*, 802 F.2d 58, 60 (2d Cir. 1986)). Defendant in this case already filed not one, but two motions for compassionate release, based on some of the very same reasons cited in Defendant’s request for counsel. *See* ECF Nos. 52, 60. The Court denied both. *See* ECF Nos. 57, 64. Given that record, the Court is not persuaded that appointment of counsel would be appropriate and Defendant’s request is DENIED.

The Clerk of Court is directed to mail this Order to:

Juan Carlos Camilo Polanco  
Register No. 45434-054  
FCI Gilmer  
Federal Correctional Institution  
P.O. BOX 6000  
Glenville, WV 26351

SO ORDERED.

Dated: February 17, 2023  
New York, New York

  
JESSE M. FURMAN  
United States District Judge

JUAN C. CAMILO POLANCO

1-29-23

45434-054

FCI Gilmer

PO BOX 6000

GLENVILLE, WV 26351

DEAR: HONORABLE FURMAN

IM ASKING THE COURT FOR A  
APPOINTED OF A COUNSEL TO FILE  
A COMPASSION RELIEF UNDER  
THE FIRST STEP ACT 2018

IM SUFFERING FOR ALOT MEDICAL

ISSUES INCLUDING, DIABETIS, HIGH  
COLESTEROL, HYPERTENSION, ARTHRITIS  
CHEST PAIN, HEART PROBLEM LUNGS  
PROBLEMS DEPRESSION STRESS.

IM VERY LIMITED TO DO ANYTHING  
SINCE I BEARLY KNOWING I HAVE  
TROUBLE TO READ OR WRITE IT  
HAVE TO DEPEND THE HELP FROM OTHERS  
INMATED.

SINCERE/X

X

CAMILLO POLANCO

45434-054



Juan C. ...  
45434054  
Fc1 Gilmor  
PO Box 6000  
Glenville, NY 11545

United State Court  
Att. Hon. JESSE M. FURMAN  
500 PEARL Street  
NY, NY 10009

USMP  
SDNY

RECEIVED  
FEB 17 2023

